UNITED STATES DISTRICT COURT

FOR THE

SOUTHERN DISTRICT OF NEW YORK

v. :

SAMUEL ISRAEL III, :

Defendant.

SAMUEL ISRAEL III, the above-named defendant, who is accused of violating Title 18, United States Code, Section 371, 1341, and 2; and Title 15, United States Code, Sections 80b-6, 80b-17; having been advised of the nature of the charge and of his rights, hereby waives in open court prosecution by indictment and consents that the proceeding may be by information instead of by indictment.

Defendant.

Counsel for Defendant.

Date: White Plains, New York September 29, 2005